

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

JAN 15 2019

JAMES W. McCORMACK, CLERK
By: *Jmw* DEP CLERK**AMERICAN ATHEISTS, INC., et al.**

Plaintiff

Attorneys: Phillip Kaplan, Bonnie Johnson
Geoffrey Blackwell, Allison Gladden**JUDGE:** Kristine G. Baker**REPORTERS:** Elaine Hinson
and Karen Baker**CRD:** Tracy Washington**DATE:** January 15, 2019

v.

Case No. 4:19-cv-00017 KGB**STANLEY JASON RAPERT,***in his individual and official capacity*

Defendant

Attorneys: Dylan Jacobs, Nicholas Bronni
Paul Byrd, William Bird**MINUTES – TEMPORARY RESTRAINING ORDER HEARING****TIME** *Tuesday, January 15, 2019 (Court Reporters: Elaine Hinson and Karen Baker)*

9:02 Court in session;
 9:05 Phil Kaplan, counsel for plaintiffs, begins opening statements;
 9:12 Plaintiffs' opening statements conclude;
 Opening statements by Dylan Jacobs, counsel for defendant;
 9:15 Opening statements by Paul Byrd, co-counsel for defendant;
 9:16 Opening statements by Paul Byrd concludes;
 Plaintiff calls Karen Dempsey as Witness No. 1;
 9:18 Direct examination of Karen Dempsey by Phil Kaplan begins;
 Exhibits 1, 2, 3, 5, 6, 7, 8, 9, and 10 admitted;
 9:43 Direct examination concludes;
 Cross examination by William Bird begins;
 9:48 Cross examination by William Bird concludes;
 Cross examination by Paul Byrd begins;
 9:49 Cross examination by Paul Byrd concludes;
 Witness No. 1 is excused;
 Plaintiffs call Catherine Shoshone as Witness No. 2;
 Direct examination by Phil Kaplan begins;
 Exhibits 11, 12, 13, 14, and 15 admitted;
 10:00 Direct examination concludes;
 Cross examination by William Bird begins;
 10:04 Cross examination concludes;
 Redirect examination begins;
 10:05 Redirect examination concludes;
 Witness No. 2 is excused;
 10:05 Recess;

10:19 Court back in session;
Plaintiffs call Robert Barringer as Witness No. 3;

10:25 Direct examination concludes;
Cross examination by William Bird begins;

10:28 Cross examination by William Bird concludes;
Cross examination by Paul Byrd begins;

10:31 Cross examination by Paul Byrd concludes;
Witness No. 3 is excused;
Exhibit 16 is admitted over the objection of the defendant;
Exhibit 17 admitted;

10:38 Plaintiffs rest;
Defendant presents Defense Exhibits 1, 2, 3, 4 and 5 admitted;

10:54 Recess;

11:05 Court back in session;
Arguments by Phil Kaplan on behalf of plaintiffs begin;

11:20 Plaintiff concludes arguments;
Arguments by Dylan Jacobs on behalf of defendant;

11:45 Arguments on behalf of defendant by Paul Byrd begin;

11:49 Arguments on behalf of defendant conclude;
Plaintiffs begin rebuttal;

11:56 Plaintiffs rebuttal concludes;
The plaintiffs request that the Court consider this as a preliminary injunction and temporary restraining order as one to which the defendant joined and requested time to file a written response;
The Court took the matter under advisement;

12:03 Court adjourned.